

Remarks/Arguments:

Claims 3, 4, 7 and 16-25 are pending and rejected in the application. Claim 7 has been cancelled. Claims 3, 4, 17, 20 and 21 have been amended. No new matter has been added.

On pages 2 and 3, the Official Action objects to claims 4 and 7 because the Examiner believes that the claims are unclear. Specifically, the preamble of claim 7 recited "*a base station.*" The body of claim 7, however, recited both a "*first base station*" and a "*second base station.*" Thus, to clarify this matter, Applicants have amended the preamble of claim 7 to recite "*a radio communication system.*" Furthermore, claim 7 recited "*received radio wave from an output of the other system reception section.*" The Examiner stated that this language implies that the "*other system reception section*" is transmitting the radio waves. Thus, Applicants have further amended claim 7 to clarify that the radio waves are received from "*the second base station.*"

The body of claim 4 recited "*informing*" which the Examiner believes is unclear. Thus, Applicants have amended claim 4 to replace "*informing*" with "*transmitting.*" This clarifies that the system estimation information and the position information are transmitted from the mobile station.

On page 3 of the Official Action, the Examiner also believes that the feature of switching between the first radio communication system and the second radio communication system is unclear. Thus, Applicants have amended claims 3, 4, 7, 16, 17, 20 and 21 to clarify the switching feature. Withdrawal of the objections are respectfully requested.

On page 5, the Official Action rejects claims 3 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Japenga (U.S. 2004/0082328), Takahashi (U.S. 6,058,316) and Yoshimi (U.S. 5,732,327). On page 8, the Official Action rejects claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Japenga in view of Takahashi. It is respectfully submitted, however, that the claims are patentable over the art of record for at least the reasons set forth below.

Applicants' invention, as recited by claim 3, includes features which are neither disclosed nor suggested by the art of record, namely:

... determines a communication mode of the second radio communication system based on the determined frequency, and transmits the determined communication

mode as system estimation information to the base station in the first radio communication system ...

... wherein the base station of the first radio communication system transmits the system estimation information to the mobile station in the cell, and the mobile station switches from the first radio communication system to the second radio communication system based on the system estimation information. (Emphasis Added)

Claim 3 relates to a mobile station that transmits the communication mode of a second radio communication system to a base station located in a first radio communication system. Then, at a later time, when the mobile station wants to switch from the first to the second radio communication system, the first radio communication system transmits the communication information back to the mobile station. This feature is at least shown in Applicants' Figs. 1 and 3 and furthermore described on pages 26-31 of the specification. No new matter has been added.

In Fig. 1, Japenga shows a mobile station 16 located between two cells (GSM cell 12N and UTRAN cell 14N). In at least paragraph 19, Japenga suggests that the mobile station 16 is able to measure the performance of both the GSM cell and UTRAN cell ("*processor 28 evaluates cells 12 and 14 for reselection as UE 16 moves within a geographic area ... UE 16 scans radio frequency channels in the GSM and UTRAN bands and performs signal strength measurements*"). Paragraph 9 also suggests that the mobile station selects the cell based on the signal strength ("*the signal strength of the UTRAN cell satisfies a network specified threshold ... the UE selects the UTRAN cell for access to network 18*"). Thus, Japenga's mobile station switches from cells based on the signal strengths measured in those cells. Japenga, however, does not suggest the mobile station transmitting communication mode information of one cell to another cell.

Applicants' claim 3 is different than the art of record, because the mobile station transmits the communication mode information of one system to another system. Furthermore, at a later time, the station which received the communication mode information from the mobile station may then transmit that information back to the mobile station during a switch operation ("*determines a communication mode of the second radio communication system based on the determined frequency, and transmits the determined communication mode as system estimation information to the base station in the first radio communication system ... wherein the base station of the first radio communication system transmits the*

system estimation information to the mobile station in the cell, and the mobile station switches from the first radio communication system to the second radio communication system based on the system estimation information").

For example, as shown in at least Applicants' Fig. 3., mobile station 301 communicates with second base station 304 in second communication system B and determines its communication mode (e.g., whether it is in GSM mode). This communication mode information is then transmitted from mobile station 301 to first base station 302 of first radio communication system A. Then, when the mobile station 301 wants to switch from first radio communication system A to second radio communication system B, first base station 302 transmits the communication mode information back to the mobile station 301. When mobile station 301 receives the communication mode information, it is able to switch to the second communication system B.

This feature is at least supported in Figs. 3 and 4 and furthermore described on pages 26-31 of Applicants' specification ("*when the mobile station 301 is connected to the base station 304 ... the system information detection section 405 detects system information such as ... mode ... for output to the storage section 406 ... when the mobile station 301 ... transmits the information to the base station 302 using the control channel ... the mobile station 301 provided in advance with the system detection information from the base station 302 of the radio communication system A about the base station 304 of the radio communication system B as such can perform effective switching from the radio communication system A to the radio communication system B*").

Takahashi and Yoshimi do not make up for the deficiencies of Japenga. Accordingly, for the reasons set forth above, claim 3 is patentable over the art of record.

Claims 16 and 20 include similar features to claim 3. Thus, claims 16 and 20 are also patentable over the art of record for at least the reasons set forth above.

On page 10, the Official Action rejects claim 7 under a combination of Yoshimi in view of Wallstedt (U.S. 2002/193111). The rejections of claim 7, however, are moot in view of its cancellation.

On page 12, the Official Action rejects claims 4, 17-19 and 24-25 under 35 U.S.C. § 103(a) as being unpatentable over Japenga in view of Takahashi, in view of Yoshimi and further

in view of Garceran (U.S. 6,522,888). Neither Takahashi, Yoshimi or Garceran make up for the deficiencies of Japenga. Thus, claims 4, 17-19 and 24-25 are patentable over the art of record due to their dependencies on claims 3, 16 and 20.

On page 16 the Official Action rejects claims 21-23 under 35 U.S.C. § 103(a) as being unpatentable over Japenga in view of Takahashi and further in view of Garceran. Neither Takahashi nor Garceran make up for the deficiencies of Japenga. Thus, claims 21-23 are patentable over the art of record due to their dependency on claim 20.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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